

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SHAKIR DILMOHAMAD,

Plaintiff,

-against-

BALTYK EXPRESS LLC and MAREK W.  
WOLOSZ,

Defendants.  
-----X

CIVIL ACTION NO.: \_\_\_\_\_

COMPLAINT AND DEMAND  
FOR TRIAL BY JURY

**PLAINTIFF**, complaining of the defendants, by his attorneys, **THE CASSISI LAW FIRM, P.C.**, respectfully alleges, upon information and belief, the following:

1. Plaintiff, **SHAKIR DILMOHAMAD**, is a citizen of the State of New York, residing at 155-05 113<sup>th</sup> Avenue, Jamaica, County of Queens, City and State of New York.
2. Defendant, **BALTYK EXPRESS LLC**, was, and still is, a foreign limited liability company duly organized and existing under the Revised Uniform Limited Liability Company Act of the State of New Jersey.
3. Defendant, **BALTYK EXPRESS LLC**, is a citizen of the State of New Jersey maintaining its principal place of business located at 278 Maple Avenue, Apt. 2, Wallington, County of Bergen, State of New Jersey.
4. Defendant, **BALTYK EXPRESS LLC**, owned and/or maintained a motor vehicle bearing registration number AW249H, State of New Jersey, for the year 2021.
5. Defendant, **MAREK W. WOLOSZ**, is a citizen of the State of New Jersey, residing at 278 Maple Avenue, Apt. 2, Wallington, County of Bergen, New Jersey 07057.

6. Plaintiff, **SHAKIR DILMOHAMAD**, owned, maintained, operated and/or controlled a motor vehicle bearing registration number GGP1920, State of New York, for the year 2021.

7. On November 12, 2021, defendant, **MAREK W. WOLOSZ**, was an employee of the defendant, **BALTYK EXPRESS LLC**, and, as such, was acting in the course and scope of his employment duties.

8. On November 12, 2021, defendant, **MAREK W. WOLOSZ**, was operating and/or controlling the motor vehicle bearing registration number AW249H, State of New Jersey, for the year 2021, with the permission, either express and/or implied, of the defendant, **BALTYK EXPRESS LLC**.

9. On November 12, 2021, plaintiff, **SHAKIR DILMOHAMAD**, operated and/or controlled his aforesaid motor vehicle in the westbound direction of travel on Interstate route 80 at or near mile post marker 22.80 in Byram Township, Sussex County and State of New Jersey.

10. On November 12, 2021, defendant, **MAREK W. WOLOSZ**, operated and/or controlled the aforementioned motor vehicle which was owned and/or maintained by defendant, **BALTYK EXPRESS LLC**, in the eastbound direction of travel on Interstate route 80 at or near mile post marker 22.80 in Byram Township, Sussex County and State of New Jersey.

11. On November 12, 2021, the aforesaid motor vehicle owned and/or maintained by defendant, **BALTYK EXPRESS LLC**, which was being operated and/or controlled by defendant, **MAREK W. WOLOSZ**, came into contact with the aforesaid

motor vehicle which plaintiff, **SHAKIR DILMOHAMAD**, owned, maintained, operated and/or controlled at or near the aforesaid location.

12. On November 12, 2021, while plaintiff, **SHAKIR DILMOHAMAD**, operated and/or controlled his aforementioned motor vehicle at the aforesaid location, the aforesaid motor vehicle owned and/or maintained by the defendant, **BALTYK EXPRESS LLC**, which was being operated and/or controlled by the defendant, **MAREK W. WOLOSZ**, came into contact with and/or struck the motor vehicle which plaintiff was operating at the aforesaid location, causing a collision thereat, without any fault on the part of the plaintiff contributing thereto, and wholly and solely by reason of the recklessness, carelessness and/or negligence of both the defendants in their respective ownership, operation, maintenance and/or control of the aforementioned motor vehicle, with the result that plaintiff, **SHAKIR DILMOHAMAD**, was caused to sustain statutory "serious" injuries, as same is defined in Section 5102 (d) of the Insurance Law of the State of New York and sustained economic loss greater than basic economic loss as defined in Section 5102 (d) of the Insurance Law of the State of New York, and sustained property damage.

13. As a result of the aforesaid, plaintiff, **SHAKIR DILMOHAMAD**, was rendered sick, sore, lame and disabled, sustaining statutory "serious" permanent personal injuries and was, and still is, internally and externally injured, causing him to suffer great pain and for a long time was prevented from attending to his daily activities and has endured, and will continue to endure, great pain, suffering and mental anguish, all to his damage.



14. Defendants, **BALTYK EXPRESS LLC** and **MAREK W. WOLOSZ**, are jointly and severally liable for non-economic loss herein, pursuant to the Civil Practice Law and Rules, Article 16.

15. The amount in controversy exceeds the sum or value of \$75,000.00, exclusive of interests and costs.

16. This Court has diversity jurisdiction over this action under 28 U.S.C. §1332 (a).

17. Venue is properly placed in the United States District Court for the Eastern District of New York based upon the residence of the plaintiff.

**WHEREFORE**, plaintiff demands judgment against the defendants, jointly and severally, for the following relief:

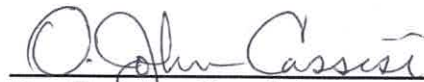
- a) Compensatory damages in the sum of one million dollars (\$1,000,000.00),
- b) Interests and costs of the suit, and
- c) For such other and further relief as the Court deems fair, equitable and just.

**DEMAND FOR TRIAL BY JURY:**

Plaintiff demands a Trial by Jury of all the issues herein.

Dated: Ozone Park, New York  
January 26, 2022

Yours, etc.,  
**THE CASSISI LAW FIRM, P.C.**



**By: O. John Cassisi**  
Attorneys for Plaintiff  
**SHAKIR DILMOHAMAD**  
102-08 101<sup>st</sup> Avenue  
Ozone Park, New York 11416  
(718) 441-5050

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**COMPLAINT AND DEMAND FOR TRIAL BY JURY**

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**THE CASSISI LAW FIRM, P.C.**

Attorneys for Plaintiff  
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